



Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036-6797
+1 212 698 3500 Main
+1 212 698 3599 Fax
www.dechert.com

MICHAEL J. GILBERT

michael.gilbert@dechert.com
+1 212 698 3886 Direct
+1 212 698 0426 Fax

June 21, 2018

VIA ECF AND FAX

The Honorable Laura Taylor Swain
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Erick F. Nunez*, 1:10-CR-00905-LTS

Dear Judge Swain:

On behalf of Erick F. Nunez ("Nunez"), a defendant in the above-captioned case, we respectfully submit this letter in response to the Government's letter filed on June 20, 2018.

For the reasons stated in our June 14 letter, we submit that adjourning the supervised release sentencing until after the state sentencing is appropriate and is consistent with the position the Government took at the time Nunez entered his plea to the supervised release violations.

Since we requested the adjournment, we learned that Nunez's wife recently underwent surgery in connection with an ectopic pregnancy. She is required to be out of work for four weeks and has a follow-up appointment with her doctor on June 29, 2018. Nunez therefore, is currently focused on taking care of his wife as she recovers. He is also responsible for the care of his step-son, and he is working full-time.

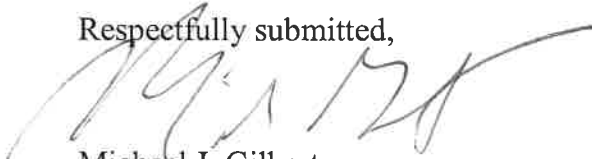
In the event the Court does not grant our request to set a sentencing date to follow the state court sentencing, we request that the Court adjourn the current sentencing date for at least two weeks.

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We have spoken to AUSA Mollie E. Bracewell and the government consents to an adjournment to a date in mid to late July 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Gilbert", written over the typed name.

Michael J. Gilbert

MJG

cc: Mollie E. Bracewell, Esq. (via email)